

be, granted, where the right of such permittee or lessee was initiated prior to such location, to use so much of the surface of the land as may be necessary for prospecting for, mining, and removing the oil and gas deposits therein without compensation to the locator or patentee, in accordance with section 29 of the Act of February 25, 1920 (41 Stat. 437).

Vol. 41, p. 437.

Approved, March 2, 1931.

**CHAP. 374.**—An Act To relieve restricted Indians in the Five Civilized Tribes whose nontaxable lands are required for State, county, or municipal improvements or sold to other persons or for other purposes.

March 2, 1931.  
[H. R. 15263.]  
[Public, No. 780.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever any nontaxable land of a restricted Indian of the Five Civilized Tribes is sold to the State of Oklahoma, or to any county or municipality therein, for public-improvement purposes, or is acquired, under existing law, by said State, county, or municipality by condemnation or other proceedings for such public purposes, or is sold under existing law to any other person or corporation for other purposes, the money received for said land may, in the discretion and with the approval of the Secretary of the Interior, be reinvested in other lands selected by said Indian and such land so selected and purchased shall be restricted as to alienation, lease, or incumbrance, and nontaxable in the same quantity and upon the same terms and conditions as the nontaxable lands from which the reinvested funds were derived and such restrictions to appear in the conveyance.

Five Civilized Tribes, Okla.  
Restricted member of, whose land sold, may select other.

Proceeds of sale to be applied thereon.

Alienating, leasing restrictions.

Approved, March 2, 1931.

**CHAP. 375.**—An Act For the retirement of employees of the Panama Canal and the Panama Railroad Company, on the Isthmus of Panama, who are citizens of the United States.

March 2, 1931.  
[H. R. 15865.]  
[Public, No. 781.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all employees of the Panama Canal on the Isthmus of Panama, and all employees of the Panama Railroad Company, on the Isthmus of Panama, who are citizens of the United States and whose tenure of employment is not intermittent nor of uncertain duration, shall come within the provisions of this Act.

Retirement of Federal personnel of the Panama Canal, etc.

AUTOMATIC SEPARATION

Automatic separation.

Upon reaching age of 62 years.

**SEC. 2.** All employees to whom this Act applies shall, after reaching the age of sixty-two years and having rendered at least fifteen years of service on the Isthmus of Panama, be automatically separated from the service and retired on the annuity provided for herein; and all salary, pay, or compensation shall cease from that date: *Provided*, That if the Governor of the Panama Canal certifies to the Civil Service Commission that by reason of his efficiency and willingness to remain in the service, the continuance of such employee therein would be advantageous to the service, such employee may be retained for a term not exceeding two years, upon the approval and certification by the Civil Service Commission, and, at the end of the two-year term, by similar approval and certification, be continued for an additional term not exceeding two years:

Salary, etc., to cease.

*Proviso.*  
Temporary retention upon certificate by Governor.

Final separation except in special cases.

*Provided, however,* That no employee shall be continued in the service beyond the age of retirement for more than four years, except that where the Governor of the Panama Canal certifies, and the Civil Service Commission agrees, that by reason of expert knowledge and special qualifications the continuance of the employee would be advantageous to the service, further extensions of two years may be granted.

Superannuation retirement.  
Age and service requirement.

*Post*, p. 1474.

Option allowed employee.

All employees to whom this Act applies who would be eligible for retirement from the service upon attaining the age of sixty-two years shall, after attaining the age of sixty years and having rendered at least thirty years' service, computed as provided in section 7, of this Act, be eligible for retirement on an annuity as provided in section 6 of this Act. Retirement under the provisions of this paragraph shall be at the option of the employee, but if such option is not exercised prior to the date upon which the employee would otherwise be eligible for retirement from the service, the provisions of this Act with respect to automatic separation from the service shall apply.

Voluntary retirement.

#### VOLUNTARY RETIREMENT

Age and service requirement.

Computation of annuity.

*Post*, p. 1474.

SEC. 3. (a) Any employee to whom this Act applies who shall have attained the age of fifty-five and rendered at least twenty-five years of service, of which not less than fifteen years shall have been rendered on the Isthmus of Panama, may voluntarily retire on an annuity equivalent in value to the present worth of a deferred annuity beginning at the age at which the employee would otherwise have become eligible for retirement, computed as provided in section 6 of this Act, the present worth of said deferred annuity to be determined on the basis of the American Experience Table of Mortality and an interest rate of 4 per centum, compounded annually.

(b) Any employee to whom this Act applies may voluntarily retire on an annuity computed as provided in section 6, who shall have attained the age of fifty-five and rendered at least thirty years of service on the Isthmus of Panama (inclusive of absences while in the service of the United States during the World War), of which not less than three years shall have been in the employment of the Isthmian Canal Commission or the Panama Railroad Company between May 4, 1904, and April 1, 1914.

Disability retirement.

#### DISABILITY RETIREMENT—MEDICAL EXAMINATIONS REQUIRED

Annuity allowed on application of Governor if physically or mentally disqualified.

*Proviso.*  
Medical examination required.

If totally disabled.

SEC. 4. (a) Any employee to whom this Act applies who shall have attained the age of fifty-five years and shall have rendered at least fifteen years of service on the Isthmus of Panama, and who shall have become physically or mentally disqualified to perform satisfactorily and efficiently the duties of his position or of any other position of approximately equal compensation to which he might be assigned, because of the strenuous or hazardous nature of such position, shall, upon the request or order of the Governor of the Panama Canal, be retired on an annuity computed in accordance with the provisions of section 6 hereof: *Provided*, That no such employees shall be so retired except after an examination and finding as to his mental or physical disqualifications as hereinafter provided.

(b) Any employee to whom this Act applies who shall have served for a total period of not less than five years, and who, before becoming eligible for retirement under the conditions defined in section 2 hereof, shall have become totally disabled for useful

and efficient service in the grade or class of position occupied by the employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his own application or upon request or order of the Governor of the Panama Canal, be retired on an annuity computed in accordance with the provisions of section 6 hereof.

Disability by reason of willful misconduct.

No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's separation from the service or within six months thereafter. No employee shall be retired under the provisions of this section unless he or she shall have been examined by a medical officer of the United States, or a duly qualified physician or surgeon or board of physicians or surgeons, designated by the Commissioner of Pensions for that purpose, and found to be disabled in the degree and in the manner specified herein.

Time for executing application.

Medical examination.

Every annuitant retired under the provisions of this section, unless the disability for which he was retired be permanent in character, shall at the expiration of one year from the date of such retirement and annually thereafter, until reaching retirement age as defined in section 2 hereof, be examined under the direction of the Commissioner of Pensions by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons designated by the Commissioner of Pensions for that purpose, in order to determine the nature and degree of the annuitant's disability, if any. If an annuitant shall recover before reaching the age at which he would otherwise have become eligible for retirement and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, payment of the annuity shall be continued temporarily to afford the annuitant opportunity to seek such available position, but not in any case exceeding ninety days from the date of the medical examination showing such recovery.

Annual examinations thereafter, unless disability permanent.

Temporary payment of annuity upon recovery.

If the annuitant shall fail to obtain reemployment through no fault of his own within the ninety-day period in any position included in the provisions of this Act, he shall be considered as involuntarily separated from the service as of the date he shall have been retired for disability, and if otherwise eligible, entitled to an annuity under section 5 of this Act to begin at the close of said ninety-day period based on the service rendered prior to his retirement for disability.

Status of annuitant thereafter, failing reemployment.

Post, p. 1474.

The Commissioner of Pensions may order or direct at any time such medical or other examination as he shall deem necessary to determine the facts relative to the nature and degree of disability of any employee retired on an annuity under this section. Should an annuitant fail to appear for any examination required under this section, payment of the annuity shall be suspended until the requirement shall have been met.

Degree of disability to be ascertained.

Annuity payments suspended on failure to be examined.

In all cases where the annuity is discontinued under the provisions of this section before the annuitant has received a sum equal to the amount credited to his individual account as provided in section 11 (a) hereof, together with interest at 4 per centum per annum compounded on June 30 of each year, the difference, unless he shall become reemployed in a position within the purview of this Act, shall be paid to the retired employee, as provided in section 11 (b) hereof, upon application therefor in such form and manner as the Commissioner of Pensions may direct. In case of reemployment in a position within the purview of this Act the amount so refunded shall be redeposited as provided in section 11 (b) hereof.

Discontinued annuities.

Post, p. 1477.

Difference between contributions and amount paid, to be returned.

Upon reemployment, amount refunded to be redeposited.

Post, p. 1478.

No annuity if receiving compensation for disability.  
Vol. 39, p. 742.

Claimant not debarred from greater benefits.

Fees, etc., for medical examinations.

Payment of.

Involuntary separation from service.

Payment, if eligible and before reaching retirement age.  
*Ante*, p. 1471.

Return of salary deductions.

Immediate life annuity.

Deferred annuity to begin at retirement age.

Deferred annuity, with special service and age between 45 and 55 years.

Immediate annuity at 55, authorized.

Annuity payments to cease upon reemployment.

Status thereafter.

Annuities.

Computation of amount.

Service in Panama or military, etc., service in Tropics.

No person shall be entitled to receive an annuity under the provisions of this Act, and compensation under the provisions of the Act of September 7, 1916, entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," or such Act as amended, covering the same period of time; but this provision shall not be so construed as to bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time.

Fees for examinations made under the provisions of this section, by physicians or surgeons who are not medical officers of the United States, shall be fixed by the Commissioner of Pensions, and such fees, together with the employee's reasonable traveling and other expenses incurred in order to submit to such examinations, shall be paid out of the appropriations for the cost of administering this Act.

#### INVOLUNTARY SEPARATION FROM THE SERVICE

SEC. 5. Should any employee fifty-five years of age or over to whom this Act applies, after having served for a total period of not less than fifteen years and before becoming eligible for retirement under the conditions defined in section 2 hereof, become involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, such employee shall be paid as he may elect, either—

(a) The amount of the deductions from his basic salary, pay, or compensation, including accrued interest thereon computed as prescribed in section 11 (b) hereof;

(b) An immediate life annuity beginning at the date of separation from the service, having a value equal to the present worth of a deferred annuity beginning at the age at which the employee would otherwise have become eligible for retirement, computed as provided in section 6 of this Act, the present worth of said deferred annuity to be determined on the basis of the American Experience Table of Mortality and an interest rate of 4 per centum, compounded annually; or

(c) A deferred annuity beginning at the age at which the employee would otherwise become eligible for retirement computed as provided in section 6 of this Act.

Any employee who has served for a period of not less than fifteen years, and who is forty-five years of age, or over, and less than fifty-five years, and who becomes separated from the service under the conditions set forth in this section shall be entitled to a deferred annuity, but such employee may, upon reaching the age of fifty-five years, elect to receive an immediate annuity as provided in paragraph (b) of this section.

Should an annuitant under the provisions of this section be reemployed in any position included in the provisions of this Act, payment of annuity shall not be allowed covering the period of such reemployment, and an annuity based upon involuntary separation shall not be allowed upon subsequent separation from the service unless such subsequent separation shall be involuntary.

#### METHOD OF COMPUTING ANNUITIES

SEC. 6. The annuity of an employee retired under the provisions of this Act shall be composed of—

(1) A sum equal to \$37.50 multiplied by the number of years of service, not to exceed thirty years, rendered (a) on the Isthmus of

Panama, or (b) in the military or naval service of the United States in the Tropics; and

(2) The annuity purchasable with the sum to the credit of the employee's individual account, including accrued interest thereon computed as prescribed in section 11 (a) hereof, according to the experience of the Canal Zone retirement and disability fund as may from time to time be set forth in tables of annuity values by the board of actuaries; and

Purchasable annuity added.

(3) Thirty dollars multiplied by the number of years of service rendered and not allowable under paragraph (1) hereof: *Provided*, That the number of years of service to be used in computing the allowance under paragraph (3) shall not exceed the difference between thirty and the number of allowable years of service under paragraph (1); and

Service elsewhere.  
*Proviso.*  
Limit in number of years.

(4) Thirty-six dollars multiplied by the number of years of service rendered on the Isthmus of Panama, either in the employ of the Isthmian Canal Commission or the Panama Railroad Company, between May 4, 1904, and April 1, 1914.

Service with Isthmian Canal Commission, etc.

In no case, however, shall the total annuity paid exclusive of that provided in paragraph (4) hereof, be less than an amount equal to the sum of—

Total annuity limited.

The average annual basic salary, pay, or compensation, not to exceed \$2,000 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service used in computing the annuity under paragraph (1) hereof, and divided by forty; and the average annual basic salary, pay, or compensation, not to exceed \$1,600 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service used in computing the annuity under paragraph (3) hereof, and divided by forty: *Provided*, That the annuity paid a retiring employee of the Panama Railroad Company in such service on June 30, 1931, shall be an amount equal to 2 per centum of the average annual basic salary, pay, or compensation, not to exceed \$5,000 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of allowable service rendered prior to July 1, 1931; plus the amount to which the employee is entitled under the provisions of this section, exclusive of paragraph (4), for service rendered subsequent to June 30, 1931: *Provided, however*, That the sum to be used in computing the annuity purchasable under paragraph (2) of this section shall include only contributions made subsequent to June 30, 1931: *And provided further*, That the number of years of service to be used in computing the annuity under paragraphs (1) and (3) of this section shall not exceed the difference between thirty and the number of years of allowable service rendered prior to July 1, 1931.

*Proviso.*  
Annuity upon retirement from Panama Railroad Company.

Computing purchasable annuity.

Years of service.

The annuity granted under paragraphs (1), (3), and (4) of this section shall not exceed three-fourths of the average annual basic salary, pay, or compensation received by the employee during any five consecutive years of allowable service at the option of the employee.

Annuity limited to three-fourths annual salary, etc.

Any employee at the time of his retirement may elect to receive, in lieu of the life annuity herein described, an increased annuity of equivalent value which shall carry with it a proviso that no unexpended part of the principal upon the annuitant's death shall be returned. For the purposes of this Act all periods of service shall be computed in accordance with section 7 hereof, and the annuity shall be fixed at the nearest multiple of twelve.

Increased annuity at employee's option.

Computations of periods of service.

Bonuses, etc., excluded as "basic salary, pay, or compensation."

The term "basic salary, pay, or compensation," wherever used in this Act, shall be so construed as to exclude from the operation of the Act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation.

Accredited service.

#### COMPUTATION OF ACCREDITED SERVICE

Periods of service included in computing.

SEC. 7. Subject to the provisions of section 8 hereof, the service which shall form the basis for calculating the amount of any benefit provided in this Act shall be computed from the date of original employment, whether as a classified or an unclassified employee, in the civil service of the United States or under the municipal government of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices of the Government, and service on the Isthmus of Panama with the Isthmian Canal Commission, the Panama Canal, or the Panama Railroad Company; also periods of service performed overseas under authority of the United States and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States. In the case of an employee, however, who is eligible for and elects to receive a pension under any law, or retired pay on account of military or naval service, or compensation under the War Risk Insurance Act, the period of his military or naval service upon which such pension, retired pay, or compensation is based shall not be included, but nothing in this Act shall be so construed as to affect in any manner his right to a pension, or to retired pay, or to compensation under the War Risk Insurance Act in addition to the annuity herein provided.

District of Columbia.

Overseas, military, naval, etc.

Deduction of periods entitling to pension, etc.

Periods of separations, etc., excluded.

In computing length of service for the purposes of this Act all periods of separation from the service, and so much of any leaves of absence without pay as may exceed six months in the aggregate in any calendar year, shall be excluded.

Fractions of a month disregarded.

In determining the total periods of service upon which the allowances are to be computed under section 6 hereof, the fractional part of a month, if any, shall be eliminated from each respective total period.

Past service.

#### CREDIT FOR PAST SERVICE

Deposits to credit of fund by employees hereafter brought within purview of Act.

SEC. 8. All employees coming within the provisions of this Act after the effective date thereof shall be required to deposit with the Treasurer of the United States to the credit of the Canal Zone retirement and disability fund referred to in section 9 hereof, under rules to be prescribed by the Commissioner of Pensions, a sum equal to  $2\frac{1}{2}$  per centum of the employee's basic salary, pay, or compensation received for services rendered after July 31, 1920, and prior to July 1, 1926, and also  $3\frac{1}{2}$  per centum of the basic salary, pay, or compensation for services rendered subsequent to June 30, 1926, together with interest computed at the rate of 4 per centum per annum compounded on the last day of each fiscal year, but such interest shall not be included for any period during which the employee was separated from the service. Upon making such deposit the employee shall be entitled to credit for the period or periods of service involved: *Provided*, That no such deposit shall be required on account of services rendered for the Panama Railroad Company prior to January 1, 1924: *Provided further*, That failure to make such deposit shall not deprive the employee of credit for any past service for which no deposit is required under the provisions of this section.

From July 31, 1920, to July 1, 1926. Thereafter.

Interest rate.

*Proviso.*  
When deposit not required.

Failure to deposit.

## DEDUCTIONS

## Deductions.

SEC. 9. Beginning July 1, 1931, there shall be deducted and withheld from the basic salary, pay, or compensation of each employee to whom this Act applies a sum equal to 5 per centum of such employee's basic salary, pay, or compensation. The amounts so deducted and withheld from the basic salary, pay, or compensation of each employee shall be deposited with the Treasurer of the United States to the credit of a special fund to be known as the Canal Zone retirement and disability fund, in accordance with the procedure now or hereafter prescribed for covering into the United States Treasury the deductions from salaries under the Civil Service Retirement Act of May 22, 1920, as amended, and said fund is hereby appropriated for the payment of the annuities, refunds, and allowances as provided in this Act.

Monthly deductions from salaries.

Procedure to be prescribed.

Transferred to special fund.

Vol. 41, p. 614; Vol. 44, p. 904.  
Ante, p. 468.

Credit due from previous funds transferred to.  
Vol. 41, p. 614.

The Commissioner of Pensions is hereby authorized and directed to ascertain the amount, including accrued interest, due employees of the Panama Canal coming within the purview of this Act from the civil service retirement and disability fund created by the Act of May 22, 1920, and to certify same to the Secretary of the Treasury, who is hereby authorized and directed to transfer such amount on the books of the Treasury Department to the Canal Zone retirement and disability fund.

Transfer of assets in the Panama Railroad pension fund.

The board of directors of the Panama Railroad Company shall cause to be transferred to the Secretary of the Treasury, for credit to the Canal Zone retirement and disability fund, the gross assets in the Panama Railroad pension fund at the close of business on June 30, 1931, applying to employees included within the provisions of this Act, subject to the assumption of the liabilities of that fund as of the close of business on June 30, 1931, by the Canal Zone retirement and disability fund.

Consent by employee of deductions inferred.

Every employee coming within the provisions of this Act shall be deemed to consent and agree to the deductions from salary, pay, or compensation as provided herein, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services rendered by such employee during the period covered by such payment, except the right to the benefits to which he shall be entitled under the provisions of this Act, notwithstanding the provisions of any other law, rule, or regulation affecting the salary, pay, or compensation of any person or persons to whom this Act applies.

Payment, a full discharge of all claims for services except annuity.

## INVESTMENTS AND ACCOUNTS

Investments and accounts.

SEC. 10. The Secretary of the Treasury shall invest from time to time in interest-bearing securities of the United States or in Federal farm-loan bonds such portions of the Canal Zone retirement and disability fund as in his judgment may not be immediately required for the payment of the annuities, refunds, and allowances herein authorized, and the incomes derived from such investments shall constitute a part of such fund.

Unused portion of special fund in Federal securities, etc.

## RETURN OF AMOUNTS DEDUCTED FROM SALARIES

Return of amounts deducted from salary.

SEC. 11. (a) Under such regulations as may be prescribed by the Civil Service Commission the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the civil-service retirement and disability fund or the Panama Railroad pension fund, covering service rendered prior to the effective date of this Act, shall be credited to an individual account

Amounts deducted to be credited to individual accounts, to date of Act.

The same thereafter,  
less \$1 per month.

Return of deduc-  
tions on transfer to  
position not included in  
Act.

*Proviso.*  
Involuntary separa-  
tion.

Redeposit upon re-  
instatement.

Amount credited to  
deceased annuitant's  
account to be paid to  
his representative.

If deceased employee  
ineligible for retire-  
ment.

Payment to guard-  
ian, etc.

If no guardian, etc.,  
of amounts not exceed-  
ing \$1,000.

Legal effect of pay-  
ment.

Payment of annu-  
ties.

Monthly, by check.

of such employee to be maintained by the Panama Canal, and the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the Canal Zone retirement and disability fund, covering service from and after the effective date of this Act, less the sum of \$1 per month or major fraction thereof, shall similarly be credited to such individual account.

(b) In the case of any employee to whom this Act applies who shall be transferred to a position not within the purview of the Act, or who shall become absolutely separated from the service before becoming eligible for retirement on annuity, the amount credited to his individual account shall be returned to such employee together with interest at 4 per centum per annum compounded on June 30 of each year: *Provided*, That when any employee becomes involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, the total amount of his deductions with interest thereon shall be paid to such employee: *And provided further*, That all moneys so returned to an employee must, upon reinstatement, retransfer, or reappointment to a position coming within the purview of this Act, be redeposited with interest before such employee may derive any benefits under this Act, except as provided in this section, but interest shall not be required covering any period of separation from the service.

(c) In case an annuitant shall die without having received in annuities purchased by the employee's contributions as provided in (2) of section 6 hereof an amount equal to the total amount to his credit at time of retirement, the amount remaining to his credit shall be paid in one sum to his legal representatives upon the establishment of a valid claim therefor, unless the annuitant shall have elected to receive an increased annuity as provided in section 6 hereof.

(d) In case an employee shall die without having attained eligibility for retirement or without having established a valid claim for annuity, the total amount of his deductions with interest thereon shall be paid to the legal representatives of such employee.

(e) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such employee.

(f) If the amount of accrued annuity or of refund due a former employee who is legally incompetent does not exceed \$1,000, and if there has been no demand upon the Commissioner of Pensions by a duly appointed executor, administrator, guardian, or committee, payment may be made, after the expiration of thirty days from date of death or of separation from the service, as the case may be, to such person or persons as may appear in the judgment of the Commissioner of Pensions to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

#### PAYMENT OF ANNUITIES

SEC. 12. Annuities granted under the terms of this Act shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued; and payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the disbursing clerk for the payment of pensions in such form and manner and with such safeguards as shall be prescribed by the Administrator of Veterans' Affairs in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments.



Applications for annuity shall be in such form as the Commissioner of Pensions may prescribe, and shall be supported by such certificates from the heads of departments, branches, or independent offices of the Government or the Panama Railroad Company in which the applicant has been employed as may be necessary to the determination of the rights of the applicant. Upon receipt of satisfactory evidence the Commissioner of Pensions shall forthwith adjudicate the claim of the applicant, and if title to annuity be established, a proper certificate shall be issued to the annuitant under the seal of the Veterans' Administration.

Applications for.

Certificate from head of department, etc., required.

Annuities granted under the provisions of sections 2 and 3 of this Act shall commence from the date of separation from the service and shall continue during the life of the annuitant. Annuities granted under the provisions of sections 4 and 5 hereof shall be subject to the limitations specified in said sections.

Commencement and continuance. Disability and involuntary separations. *Anie*, pp. 1472, 1474.

## BENEFITS EXTENDED TO THOSE ALREADY RETIRED

Retired employees.

SEC. 13. In the case of those employees of the Panama Canal or the Panama Railroad Company who before the effective date of this Act shall have been retired on annuity under the provisions of the Act of May 22, 1920, or said Act as amended, or as extended by Executive orders, or under the provisions of the Panama Railroad pension plan, the annuity shall be computed, adjusted, and paid under the provisions of this Act, but this Act shall not be so construed as to reduce the annuity of any person retired before its effective date, nor shall any increase in annuity commence before such effective date.

Benefits of Act extended to. If retired on annuity. Vol. 41, p. 614.

All those who were separated from the service of either the Panama Canal or the Panama Railroad Company on the Isthmus of Panama, subsequent to August 1, 1920, and before the effective date of this Act, not by removal for cause on charges of misconduct or delinquency, without having been granted retirement annuities due to the fact that all of their service which would be allowable under the provisions of this Act was not counted in arriving at their total service, and who are otherwise eligible by having made the necessary contributions to the retirement and disability funds as herein provided, shall, from the effective date of this Act, be paid annuities in accordance with the provisions of this Act.

If retired subsequent to August 1, 1920, without annuity.

## BOARD OF ACTUARIES

Board of Actuaries.

SEC. 14. The board of actuaries selected by the Commissioner of Pensions under the provisions of section 16 of the Act of July 3, 1926, shall make a valuation of the Canal Zone retirement and disability fund at intervals of five years, or oftener, if deemed necessary by the Commissioner of Pensions.

To make periodic valuations of Canal Zone fund. Vol. 44, p. 912.

## ADMINISTRATION

Administration.

SEC. 15. For the purpose of administration, except as otherwise provided herein, the Commissioner of Pensions, under the direction of the Administrator of Veterans' Affairs, is hereby authorized and directed to perform, or cause to be performed, any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect. An appeal to the Administrator of Veterans' Affairs shall lie from the final action or order of the Commissioner of Pensions affecting the rights or interests of any person or of the United States under this Act, the procedure on appeal to be as

Under Commissioner of Pensions.

Appeal to Administrator of Veterans' Affairs.

prescribed by the Commissioner of Pensions, with the approval of the Administrator of Veterans' Affairs.

Report annually.

The Commissioner of Pensions shall make a detailed comparative report annually, showing all receipts and disbursements on account of annuities, refunds, and allowances under this Act, together with the total number of persons receiving annuities and the total amounts paid them; and he shall transmit to Congress, through the Administrator of Veterans' Affairs, the reports and recommendations of the board of actuaries.

To Congress, with recommendations, etc., of board of actuaries.

Estimates of sums necessary for financing fund.

The Administrator of Veterans' Affairs shall submit annually to the Bureau of the Budget estimates of the appropriations necessary to finance the Canal Zone retirement and disability fund, and to continue this Act in full force and effect.

Exemption of annuities.

#### EXEMPTION FROM EXECUTION, AND SO FORTH

Moneys from, non-assignable, etc.

SEC. 16. None of the moneys mentioned in this Act shall be assignable, either in law or equity, or be subject to execution, levy, or attachment, garnishment, or other legal process.

#### EFFECTIVE DATE

Effective date, July 1, 1931.  
Vol. 41, p. 614.  
Ante, p. 468.

SEC. 17. This Act shall take effect July 1, 1931, and from and after that date the provisions of the Civil Service Retirement Act of May 22, 1920, as amended, shall not apply to employees of the Panama Canal on the Isthmus of Panama or to any other employees coming within the provisions of this Act: *Provided, however,* That any employee of the Panama Canal who shall attain the age of eligibility for retirement without having rendered sufficient service on the Isthmus of Panama to entitle him to be retired on an annuity as provided by section 2 hereof, but whose aggregate employment under the United States would be sufficient in character and duration to entitle him to receive an annuity under the provisions of the Civil Service Retirement Act of May 22, 1920, as amended, will be eligible to retire and receive an annuity under the provisions of that Act and payable from the civil service retirement and disability fund; and in such event the employee shall be entitled, upon separation from the service, to the refund, under such regulations as the Commissioner of Pensions may prescribe, of any excess in the deductions made from his salary, pay, or compensation under the provisions of this Act, with interest, over those which would have been made at the rate fixed by the Civil Service Retirement Act as amended; and the Commissioner of Pensions shall certify to the Secretary of the Treasury the amount remaining to the credit of such employee in the Canal Zone retirement and disability fund, and said amount shall be transferred on the books of the Treasury Department to the civil service retirement and disability fund.

*Proviso.*  
Payment of annuity if employee eligible for retirement under Civil Service Retirement Act, only.

Return of excess in deductions under provisions herein.

Transfer of account.

Approved, March 2, 1931.

March. 2, 1931.  
[H. R. 17071.]  
[Public, No. 782.]

**CHAP. 376.**—An Act Granting the consent of Congress to the State Highway Department of Pennsylvania to construct, maintain, and operate a free highway bridge across the Mahoning River near New Castle, Lawrence County, Pennsylvania.

Mahoning River.  
Pennsylvania may bridge, near New Castle.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the State Highway Department of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto on Pennsylvania State Highway Route Numbered 18, across the Mahoning River at a point just south of